IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 637 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PITHABHAI RUDABHAI - Applicant(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
THROUGH JAIL for Applicant(s) : 1,
MR KT DAVE, ADDITIONAL PUBLIC PROSECUTOR for Respondent(s) : 1,
None for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

Date : 25/04/2006

ORAL JUDGMENT

1. Rule. Mr.K.T.Dave, learned Additional Public

Prosecutor waives service of rule on behalf of the respondents.

2. Present is the application received through jail praying for furlough leave.

The authorities have rejected the furlough for the reasons set out in the communication dated 22.03.2006, viz. the surety was not ready to be a surety; that the police opinion was adverse; that there was apprehension of breach of peace and that the applicant – convict had absconded for 118 days when he was released on furlough earlier and he was required to be arrested by the police.

3. No case is made out for consideration of the prayer made in this application. Hence, the application is rejected. Rule is discharged.

(RAVI R.TRIPATHI, J.)

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